EQUAL OPPORTUNITIES & DIVERSITY POLICY

Policy Statement

Bodens College of Performing Arts is committed to achieving a working environment which provides equality of opportunity and freedom from discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation in accordance with the Equality Act (2010)

This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community. The Company is committed to actively opposing all forms of discrimination.

The Company also aims to provide a service that does not discriminate against its clients and customers in the means by which they can access the services and goods supplied by the Company. The Company believes that all employees and clients are entitled to be treated with respect and dignity.

Objectives of this Policy

- To prevent, reduce and stop all forms of unlawful discrimination.
- To ensure that recruitment, promotion, training, development, assessment, redundancy and service provision are determined on the basis of capability, qualifications, experience, skills and productivity.

Designated Officer

A designated officer will be appointed. Nominated Leads at Bodens College of Performing Arts:

- Adam Boden (Artistic Director)
- Katie McCutcheon (Managing Director)

Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, colour, nationality, ethnic origin, gender, marital status, disability, religion, age, sexual orientation. Discrimination may be direct or indirect.

Types of Discrimination

<u>Direct Discrimination</u>

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of colour, nationality, ethnic origin, gender, marital status, disability, religion, age, or sexual orientation.

Indirect Discrimination

This is the application of a policy, criterion or practice to a person which the employer would apply to others but which is such that:

- It is it detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- The employer cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom the employer is applying it suffers detriment from the application of the policy.

Unlawful Reasons for Discrimination

- Age: It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.
- Disability: It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to the service and ability to be employed, trained, or promoted as a non-disabled person.
- Gender reassignment: It is not permissible to treat a person less favourably because they identify as a different gender to that of their birth.
- Marriage and Civil Partnerships: It is not permissible to treat a person less favourably because they are married or in a civil partnership. This applies to both men and women.
- Pregnancy and maternity: It is not permissible to treat a person less favourably because they are pregnant or require maternity leave. For example, asking a woman during an interview if she is planning to have any (more) children constitutes discrimination.
- Race: It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.
- Religion or Belief: It is not permissible to treat a person less favourably because of their religious beliefs or their religion.
- Sex: It is not permissible to treat a person less favourably because of their gender.
- Sexual Orientation: It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual.
- Reasonable Adjustments
- The Company has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:
- Making adjustments to premises;
- Re-allocating some or all of a disabled employee's duties;
- Transferring a disabled employee to a role better suited to their disability;
- Relocating a disabled employee to a more suitable office;
- Giving a disabled employee time off work for medical treatment or rehabilitation;
- Providing training or mentoring for a disabled employee;
- Supplying or modifying equipment, instruction and training manuals for disabled employees; or

- Any other adjustments that the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company. If an employee has a disability and feels that any such adjustments could be made by the Company, they should contact the Designated Officer.

Responsibility for the Implementation of this Policy

The co-operation of all employees is essential for the success of this Policy. However, the ultimate responsibility for achieving the objectives of this Policy, and for ensuring compliance with relevant Legislation and Codes of Practice, lies with the Company. Senior employees are expected to follow this Policy and ensure that all employees, subcontractors and agents do the same.

All employees, subcontractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination on the grounds of race, colour, nationality, ethnic origin, gender, marital status, disability, religion, age or sexual orientation.

Employees may be held independently and individually liable for their discriminatory acts by an Employment Tribunal and ordered to pay compensation to the person who has suffered as a result of discriminatory acts.

Training and CPD in relation to understanding and implementing the Bodens College of Performing Arts Equal Opportunities Policy and EDI Leadership Plan are delivered through the following;

- Staff induction – Managing Director covers all aspects of policy at staff induction
- Employer Relationships – All employers that Bodens College of Performing Arts works with must ensure that apprentices and trainees receive a full workplace induction including equal opportunities policy and procedures
- Reviews – Bodens College of Performing Arts tutors and work coaches ensure that equal opportunities are discussed with students / employers to ensure students and apprentices feel safe and supported on all Bodens College of Performing Arts programmes and are not subject to any form of discrimination
- Staff Training – Anti-racism training and CPD linked to Bodens College of Performing Arts anti-racism policy
- Curriculum review – Regular curriculum review to ensure curriculum represents all groups, communities and protected characteristics
- Student Representatives – Bodens College of Performing Arts employs a Student Representative Team to promote diversity and inclusion and to ensure that events and cultural celebrations for groups represented at Bodens College of Performing Arts are celebrated across our various programmes

Dedicated Grievance Procedure

If an employee feels that they have suffered direct or indirect discrimination they are encouraged to make every effort to resolve the issue informally before commencing the formal procedures in accordance with the Grievance Policy and Procedure.

Employees engaging in Discriminatory Conduct

Behaviour or actions found to be contrary to this Policy and the general spirit of the laws on which it is based will be considered to be serious disciplinary matters. In the most severe of cases, the employee responsible may face dismissal. Any such employees will have the right to appeal against such a summary dismissal by following the Company Disciplinary Procedure.

Discrimination leads to an unpleasant and non-productive work environment. No employee has the right to discriminate against another. If an employee is executing Company policy that may be indirectly discriminatory, the Company will not normally hold the employee responsible for any negative effects of that policy. Employees should inform the Designated Officer if they become aware of any discriminatory effects that a policy may have.

If a grievance is received by the Company that cites the actions of an employee has being discriminatory against another member of staff, the Company will send the accused employee a copy of the written complaint and arrange a mutually agreed date for that employee to attend an interview. The Company reserves the right to transfer the accused employee to a different department or location during the investigation process. In the alternative, the Company may suspend the employee on full, partial or no pay during that period.

If the employee is unable to attend the interview they must inform the Company as soon as possible. The Company will re-schedule the interview. If the employee fails to attend the interview and does not have a good reason, this fact will be noted on that employee's record and they may be subject to appropriate disciplinary action.

At the interview the accused employee will be given the opportunity to present their case. The employee may bring another person to the interview. Any evidence or information should be submitted to the Designated Officer in advance of the interview.

Following the interview the matter will be investigated and a decision will be made after considering all relevant evidence and submissions. The employee will be informed of the Company's decision in writing. The employee may be required to attend a training course, move to a different department or to another location within the Company either on a temporary or permanent basis. The employee may receive a caution, final warning or may be dismissed with or without notice depending on the Company's findings.

The employee shall have the right to appeal against the Company's decision. If the employee wishes to appeal, they should inform the Company of their intention to do so and the grounds on which their appeal is based in writing within 14 days of the date on the initial decision letter.

If the employee gathers information or evidence that was not available at the time of the first meeting at any point prior to the arrival of the Company's initial decision letter, any such evidence should be submitted to the Designated Officer.

If the employee appeals, they will be invited to another interview to discuss the initial decision. Where possible, the Company will seek to provide a new interview panel to consider the facts of the appeal. The employee may bring another person to the appeal interview.

At the meeting the Company and the employee will discuss the original decision. If further investigation is required as a result of new evidence or information, this will be carried out in due course. A written appeal decision will be sent to the employee within 28 days of the disciplinary appeal meeting. If the investigation continues beyond 28 days the Company will write to the employee informing them that the disciplinary appeal is still being considered and will provide an estimated date of completion for the investigation. Upon completion of the investigation into the facts of the disciplinary appeal the employee shall be informed of the decision in writing. This decision is final and the employee shall have no further rights of appeal.

The extent of the Policy

The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The Company seeks to ensure that all sub-contractors and agents act in accordance with this Policy. The Company accepts no liability for the actions of sub-contractors and agents. The Company offers goods and services in a fashion that complies with the spirit of this Policy.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.

The Company reserves the right to amend and update this Policy at any time.

Equality Leadership Plan
Bodens College of Performing Arts publishes an annual EDI Leadership Plan to proactively promote best practice across the organisation – Appendix A

Last updated	**Next review**	**Person responsible**
August 2025	August 2026	KM

Appendix A: EDI Leadership plan

Statement of purpose

At Bodens College of Performing Arts we believe that our varied backgrounds, identities and circumstances enrich and boost our creativity, and make it a much more valuable place to work and learn.

Bodens College of Performing Arts' students will have an equal chance to develop their skills and talents, and reach their full potential in a safe and supportive environment. As staff we will experience an inclusive and respectful workplace, and be justly rewarded and recognised for the work we do.

Part of this is that we all have a say on matters that affect us because consultation and involvement, different opinions and experiences, turn our differences into benefits.

Statement of principles - what EDI means to us

<u>We are equal</u>

Equality to us means...

- Being valued for who and what we are.
- Being able to be ourselves.
- Not being held back by anyone's stereotypes about our abilities.
- Knowing that Bodens College of Performing Arts is a fair and just place to study and work.

<u>We are diverse</u>

Diversity to us means...

- Understanding that everyone is unique.
- Appreciating that we share characteristics such as gender, ethnicity, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation with others so we are more than individuals.
- Valuing that we all benefit from the fact our learners and staff are from a wide range of social and economic, cultural, faith and language backgrounds.
- Knowing that our teams are stronger when we embrace the different views and experiences.

<u>We are inclusive</u>

Inclusion to us means...

- Getting the recognition we deserve without having to negotiate or self-promote.
- Feeling strongly like you belong without having to conform.
- Consulting on, and listening to, different viewpoints to improve how we work as a team.
- Explaining why we make the decisions we do.

<u>Essential to achieve purpose</u>

We will...

- Acknowledge that institutional discrimination resides within our society, that its root causes should be challenged by Bodens College of Performing Arts proactively across all available spheres of influence
- Recognise that having a diversity ready and inclusive organisation is about its culture, leadership, values and processes.
- Understand that an organisations culture is a major influencing factor on the behaviour of its staff
- Acknowledge that the task of the leadership team is to achieve the alignment of managerial practice, policies and processes to that of the values and principles of Bodens College of Performing Arts.
- Actively promote and use a collaborative and consultative style of management to ensure that the development of policies and practices are guided and informed by all staff and learners who will experience and be impacted by working and studying at Bodens College of Performing Arts.
- Explore company structure - who attends which meetings, what are the formats, how are they monitored, who holds a given budget, how are resources allocated to make things happen?
- Actively recruit people who have the skills to put these values and principles into practice emphasising the essential characteristic of collaborative working.
- Champion our principles in all our communications and publications.
- Support our partners and stakeholders to do likewise.
- Make sure all staff understand the implications of this statement for their day-to-day work and for how they treat and support colleagues.

Our approach to equality, diversity and inclusion means that we value our differences above all else. Bullying and harassment, directly or indirectly, will not be tolerated under any circumstances.

Bodens College of Performing Arts strategy to achieve purpose

The Bodens College of Performing Arts EDI Leadership plan is a restatement of our commitment to equality that will drive a strategy to achieve our purpose. It is a long-term commitment designed to activate change across the organisation over a period of years to ensure a lasting legacy for our students and staff, current and in the future. The formalisation of an EDI plan builds on the many achievements to date including:

- Facilitating the achievement and progression of Bodens College of Performing Arts students for the past 7+ years
- Removing learning barriers and facilitating progression for our students with outstanding student services support in: safeguarding, counselling, bursary, careers, work experience.
- Ensuring equality of achievement with removal or significant reduction of achievement gaps across our student body including by ethnicity, gender, disability and high needs.
- A diverse workforce that brings a wide range of skills, experience and expertise to the education, support and up-skilling of our young people.

We will focus on the following 5 main themes across 2021-22 followed by an annual consultative review, report and reset:

1. Black Lives Matter
2. Curriculum Review
3. Staff Development and Wellbeing
4. Partnerships
5. Student Inclusion and Achievement Gaps

In order to address these themes we will break them down into smaller more specific contributing areas of focus, with those for immediate attention captured in our Action Plan.